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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

STEVEN RUPP, et al.,

Plaintiffs,

vs.

XAVIER BECERRA, in his official
capacity as Attorney General of the
State of California,

Defendant.

Case No.: 8:17-cv-00746-JLS-JDE

**DECLARATION OF SEAN A.
BRADY IN SUPPORT OF
PLAINTIFFS' OPPOSITION TO
DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT**

Hearing Date: May 31, 2019
Hearing Time: 10:30 a.m.
Courtroom: 10A
Judge: Josephine L. Staton

DECLARATION OF SEAN A. BRADY

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2 1. I am an attorney at the law firm Michel & Associates, P.C., attorneys of
3 record for plaintiffs in this action. I am licensed to practice law before the United
4 States Court for the Central District of California. I am also admitted to practice
5 before the Eastern, Northern, and Southern Districts of California, the courts of the
6 state of California, and the Ninth Circuit Court of Appeals. I have personal
7 knowledge of the facts set forth herein and, if called and sworn as a witness, could
8 and would testify competently thereto.

9 2. On December 3, 2018, Plaintiffs served Defendant with an Updated
10 Expert Witness Rebuttal Report of J. Buford Boone II. A true and correct copy of
11 Mr. Boone's rebuttal expert witness report is attached hereto as **Exhibit 50**.

12 3. On November 21, 2018, Plaintiffs served Defendant with Plaintiffs'
13 Disclosure of Rebuttal Expert Witnesses. Gary Kleck's Rebuttal to the Expert
14 Reports of John J. Donohue and Lucy Allen was attached as an exhibit to Plaintiffs'
15 Disclosure of Rebuttal Expert Witnesses. A true and correct copy of Mr. Kleck's
16 rebuttal expert witness report, as appended to Plaintiffs' Disclosure of Rebuttal
17 Expert Witnesses, is attached hereto as **Exhibit 51**.

18 4. On December 10, 2018, Plaintiffs served Defendant with a
19 Supplemented Expert Witness Report of William English, PhD. A true and correct
20 copy of Mr. English's expert witness report is attached hereto as **Exhibit 52**.

21 5. On December 6, 2018, I deposed Defendant's expert witness John J.
22 Donohue. A true and correct copy of the deposition transcript of Mr. Donohue is
23 attached hereto as **Exhibit 53**.

24 6. On December 14, 2018, I deposed Defendant's expert witness Lucy P.
25 Allen. A true and correct copy of the deposition transcript of Ms. Allen is attached
26 hereto as **Exhibit 54**.

27 7. On December 20, 2018, I deposed Defendant's expert witness
28 Christopher B. Colwell, M.D. A true and correct copy of the deposition transcript of

1 Mr. Colwell is attached hereto as **Exhibit 55**.

2 8. On December 19, 2018, I deposed Defendant's expert witness Blake
3 Graham. A true and correct copy of the deposition transcript of Mr. Graham is
4 attached hereto as **Exhibit 56**.

5 9. On December 4, 2018, I deposed Defendant's expert witness Michael
6 Mersereau. A true and correct copy of the deposition transcript of Mr. Mersereau is
7 attached hereto as **Exhibit 57**.

8 10. A true and correct copy of *What Should America Do About Gun*
9 *Violence?* Full Comm. Hr'g Before U.S. Sen. Jud. Comm., 113th Cong. at 11
10 (2013), available at [https://www.judiciary.senate.gov/imo/media/doc/1-30-](https://www.judiciary.senate.gov/imo/media/doc/1-30-13KopelTestimony.pdf)
11 [13KopelTestimony.pdf](https://www.judiciary.senate.gov/imo/media/doc/1-30-13KopelTestimony.pdf) (last visited May 2, 2019) is attached as **Exhibit 49**.

12 11. A true and correct copy of Jane Glenn Cannon, Nolan Clay, *Oklahoma*
13 *Beheading: Murder Defendant Confessed, Attempted Second Beheading, The*
14 *Oklahoman*, [https://newsok.com/article/5347003/oklahoma-beheading-murder-](https://newsok.com/article/5347003/oklahoma-beheading-murder-defendant-confessed-attempted-second-beheading)
15 [defendant-confessed-attempted-second-beheading](https://newsok.com/article/5347003/oklahoma-beheading-murder-defendant-confessed-attempted-second-beheading) (Sept. 30, 2014), is attached as
16 **Exhibit 58**.

17 12. A true and correct copy of Stephanie Haney, *Texas Homeowner, 20,*
18 *Shoots and Kills Three Men and Injure Two More While 'Defending Himself'*
19 *During an Early Morning Home Invasion*, Daily Mail,
20 [https://www.dailymail.co.uk/news/article-6617991/Texas-homeowner-20-shoots-](https://www.dailymail.co.uk/news/article-6617991/Texas-homeowner-20-shoots-kills-three-men-injures-two-home-invasion.html)
21 [kills-three-men-injures-two-home-invasion.html](https://www.dailymail.co.uk/news/article-6617991/Texas-homeowner-20-shoots-kills-three-men-injures-two-home-invasion.html) (Jan. 22, 2019), is attached as
22 **Exhibit 59**.

23 13. A true and correct copy of Jessica Colarossi, *Who Has Guns—Not*
24 *Which Guns—Linked to Murder Rates*, BU Today,
25 <https://www.bu.edu/today/2019/state-gun-laws-that-reduce-gun-deaths/> (March 29,
26 2019), is attached as **Exhibit 60**.

27 14. A true and correct copy of Amy Swearer, *8 Times Law-Abiding Citizens*
28 *Saved Lives With an AR-15*, The Daily Signal,

1 [https://www.dailysignal.com/2018/03/14/8-times-law-abiding-citizens-saved-lives-](https://www.dailysignal.com/2018/03/14/8-times-law-abiding-citizens-saved-lives-ar-15/)
2 [ar-15/](https://www.dailysignal.com/2018/03/14/8-times-law-abiding-citizens-saved-lives-ar-15/) (March 14, 2018), is attached as **Exhibit 61**.

3 15. A true and correct copy of Gregory Smith, *New Springfield Armory*
4 *Saint 5.56*, Selling the Second Amendment,
5 <http://sellingthesecondamendment.com/new-springfield-armory-saint-5-56/> (Dec.
6 12, 2016), is attached as **Exhibit 62**.

7 16. A true and correct copy of E. Gregory Wallace, “*Assault Weapon*”
8 *Myths*, Southern Illinois University Law Journal,
9 [https://law.siu.edu/_common/documents/law-journal/articles-2018/fall-2018/12%20-](https://law.siu.edu/_common/documents/law-journal/articles-2018/fall-2018/12%20-%20Wallace%20-%20jr%2012%208.pdf)
10 [%20Wallace%20-%20jr%2012%208.pdf](https://law.siu.edu/_common/documents/law-journal/articles-2018/fall-2018/12%20-%20Wallace%20-%20jr%2012%208.pdf) (2018), is attached as **Exhibit 63**.

11 17. A true and correct copy of Daniel Watters, *A 5.56 X 45mm “Timeline”*,
12 The Gun Zone (Jan. 3, 2004), available at
13 [https://web.archive.org/web/20040209030852/http://www.thegunzone.com/556dw.h](https://web.archive.org/web/20040209030852/http://www.thegunzone.com/556dw.html)
14 [tml](https://web.archive.org/web/20040209030852/http://www.thegunzone.com/556dw.html), is attached as **Exhibit 64**.

15 18. A true and correct copy of *Giovanni Beretta Folding Stock Miquelet*
16 *Fowler*, NRA Museums, [http://www.nramuseum.org/guns/the-galleries/ancient-](http://www.nramuseum.org/guns/the-galleries/ancient-firearms-1350-to-1700/case-2-old-world-art-and-craftsmanship/giovanni-beretta-folding-stock-miquelet-fowler.aspx)
17 [firearms-1350-to-1700/case-2-old-world-art-and-craftsmanship/giovanni-beretta-](http://www.nramuseum.org/guns/the-galleries/ancient-firearms-1350-to-1700/case-2-old-world-art-and-craftsmanship/giovanni-beretta-folding-stock-miquelet-fowler.aspx)
18 [folding-stock-miquelet-fowler.aspx](http://www.nramuseum.org/guns/the-galleries/ancient-firearms-1350-to-1700/case-2-old-world-art-and-craftsmanship/giovanni-beretta-folding-stock-miquelet-fowler.aspx), is attached as **Exhibit 65**.

19 19. A true and correct copy of *Lot 513: Lesoinne Et Pirlot Fils, Liege A*
20 *Rare .69 Percussion Rifled Single-Shot Carbine, Model ‘Delvigne Patent’, No*
21 *Visible Serial Number*, Invaluable, [https://www.invaluable.com/auction-lot/lesoinne-](https://www.invaluable.com/auction-lot/lesoinne-et-pirlot-fils,-liege-a-rare-.6...-513-c-07c4191726#.U4zK9PldXXp)
22 [et-pirlot-fils,-liege-a-rare-.6...-513-c-07c4191726#.U4zK9PldXXp](https://www.invaluable.com/auction-lot/lesoinne-et-pirlot-fils,-liege-a-rare-.6...-513-c-07c4191726#.U4zK9PldXXp), is attached as
23 **Exhibit 66**.

24 20. A true and correct copy of *The Warning Signs that Could Have*
25 *Prevented the Virginia Tech Shootings*,
26 [https://web.archive.org/web/20131014013923/http://www.nssc1.org/virginia-tech-](https://web.archive.org/web/20131014013923/http://www.nssc1.org/virginia-tech-shootings.html)
27 [shootings.html](https://web.archive.org/web/20131014013923/http://www.nssc1.org/virginia-tech-shootings.html), is attached as **Exhibit 67**.

28 21. A true and correct copy of excerpts of Frank C. Barnes, *Cartridges of*

1 *the World 13th Edition*, F+W Media, Inc. (2012), is attached as **Exhibit 68**.

2 22. A true and correct copy of Michael Siegel, *The Impact of State Firearm*
3 *Laws on Homicide and Suicide Deaths in the USA, 1991-2016: A Panel Study*,
4 Society of General Internal Medicine (March 28, 2019), is attached as **Exhibit 69**.

5 I declare under penalty of perjury that the foregoing is true and correct.
6 Executed within the United States on May 2, 2019.

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8
9 s/ Sean A. Brady

10 Sean A. Brady

11 Declarant
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CERTIFICATE OF SERVICE
IN THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

Case Name: *Rupp, et al. v. Becerra*
Case No.: 8:17-cv-00746-JLS-JDE

IT IS HEREBY CERTIFIED THAT:

I, the undersigned, am a citizen of the United States and am at least eighteen years of age. My business address is 180 East Ocean Boulevard, Suite 200, Long Beach, California 90802.

I am not a party to the above-entitled action. I have caused service of:

**DECLARATION OF SEAN A. BRADY IN SUPPORT OF
PLAINTIFFS' OPPOSITION TO DEFENDANT'S
MOTION FOR SUMMARY JUDGMENT**

on the following party by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which electronically notifies them.

Xavier Becerra
Attorney General of California
Peter H. Chang
Deputy Attorney General
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Deputy Attorney General
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455 Golden Gate Ave., Suite 11000
San Francisco, CA 94102

I declare under penalty of perjury that the foregoing is true and correct.

Executed May 2, 2019.

s/ Laura Palmerin
Laura Palmerin